

APPENDIX A

Excerpts from Various Plaintiffs' Depositions
Referenced by the Court

1 E. Rivera

2 Q That you remember, okay.

3 How is your memory, sir?

4 A That I remember, that I don't owe
5 anybody money.

6 Q Clearly, you do. But that's okay.
7 We are going to tell them where they live and
8 you can deal with them directly, okay? Okay?

9 A Okay, that's fine.

10 Q Do you have any identification on
11 you?

12 A Yes.

13 Q May I see it? You can hand it to
14 me directly.

15 A (Handing.)

16 Q Is this the only form of
17 identification you have?

18 A Yes.

19 Q You don't have anything else in
20 that big wallet of yours?

21 MR. McNAMARA: Objection, Counsel.
22 He already provided his license. That
23 should be more than sufficient.

24 Q Do you have anything in there with
25 your picture on it?

10

1 E. Rivera

2 A No, that's it.

3 Q Are you sure?

4 A Sure.

5 Q You are not fibbing to me, are
6 you?

7 MR. McNAMARA: Objection.

8 Q Because I have eyes too.

9 A That's the only thing I have.

10 Q So I didn't see any form of
11 identification --

12 MR. McNAMARA: Objection.

13 Q -- with a picture on it as you
14 just opened up your wallet in front of the
15 table?

16 MR. McNAMARA: Objection.

17 Q I think I saw something.

18 A I told you I don't have anything
19 else.

20 Q I think you are lying to me.

21 MR. McNAMARA: Objection.

22 Q We are going to start the day off
23 bad again.

24 MR. McNAMARA: Objection.

25 Q You don't want that.

1 E. Rivera

2 MR. McNAMARA: Objection.

3 Q It's not going to be good for you.

4 MR. McNAMARA: Objection.

5 Q My court reporter will get angry.

6 MR. McNAMARA: Objection.

7 Q Do you want to apologize for lying
8 to me already?

9 MR. McNAMARA: Objection.

10 Q You need to answer.

11 A I am not saying a lie.

12 Q Let me see your wallet.

13 MR. McNAMARA: No, objection, no.

14 Q Are you refusing?

15 MR. McNAMARA: I am instructing my
16 client not to --

17 Q You need to use your words. If
18 you shake your head no, you need to use your
19 words like a big boy.

20 A I am not going to show you my
21 wallet.

22 Q Why? What are you afraid of what
23 is in your wallet?

24 MR. McNAMARA: I am directing my
25 client not to provide his wallet.

1 E. Rivera

2 MR. ZABELL: Nobody is listening
3 to you.

4 Q Why are you afraid to show me what
5 is in your wallet?

6 MR. McNAMARA: Objection.

7 Mr. Rivera, you do have to answer
8 the questions.

9 A I am not going to answer that,
10 because I don't have anything to hide.

11 Q Hey, big boy over there, your
12 attorney, just said that you have to answer my
13 question.

14 Why are you afraid to show me what
15 is in your wallet?

16 MR. McNAMARA: Objection.

17 MR. ZABELL: You look very warm
18 and cuddly today.

19 MR. McNAMARA: Thank you very
20 much.

21 Q Pay attention.

22 A I am not going to show you my
23 wallet.

24 Q Why not? What are you afraid of?

25 A I am not afraid. What should I be

1 E. Rivera

2 afraid of?

3 Q If you are not afraid, then let's
4 see what is in it, unless you are lying to me
5 again.

6 MR. McNAMARA: Objection.

7 A Can I have my license back? You
8 already looked at it.

9 Q Not yet. See? You ask me a
10 question, I give you an answer. You are
11 supposed to answer me quickly like that.

12 MR. McNAMARA: Objection.

13 Q What are you afraid to show me
14 that is in your wallet?

15 MR. McNAMARA: Objection.

16 Q Do you have drugs in there?

17 MR. McNAMARA: Objection.

18 A I told you that I am not afraid.

19 Q Then why wouldn't you show me?

20 MR. McNAMARA: Objection.

21 A It's something personal.

22 Q What is personal in there?

23 MR. McNAMARA: Objection.

24 A My wallet. It's my wallet.

25 Q Do you have drugs in there?

1 E. Rivera

2 MR. McNAMARA: Objection.

3 A No.

4 Q Do you have a condom in there?

5 MR. McNAMARA: Objection.

6 A No.

7 Q What is so personal in there; love
8 notes?

9 MR. McNAMARA: Objection.

10 A Nothing of that.

11 Q Then what is it? What is so
12 personal in there?

13 A Things that are mine that have no
14 interest to you.

15 Q How do you know that they have no
16 interest to me? I have lots of interests and
17 right now, the fact that you want to hide this
18 from me, it is piquing my interests. So
19 identify what is in there that you don't want me
20 to see.

21 MR. McNAMARA: Objection.

22 Q If you do, maybe I will give you a
23 donut.

24 MR. McNAMARA: Objection.

25 A Thanks for the donut, but I'm

1 N. Quintanilla

2 A Yes.

3 Q With whom do you live at
4 8 Pennsylvania Avenue?

5 A My wife, my children, my sister,
6 and my niece; my sister's daughter.

7 Q How many children do you have?

8 A Two with my wife.

9 Q What are the ages of the two
10 children that you have with your wife?

11 A My daughter is seven years-old,
12 and my son is sixteen months old.

13 Q When I asked you how many children
14 you had, rather than answering the question, you
15 provided a qualifier. So I'm going to ask you
16 again and ask you not to answer the question
17 with a qualifier.

18 A Okay.

19 Q How many children do you have?

20 A Two.

21 Q Do you have any more than two
22 children?

23 A No.

24 Q Do you know why you said to me
25 that you only have two children with your wife?

1 N. Quintanilla

2 A Yes.

3 Q Why did you say you only have two
4 children with your wife?

5 A Because they are the only ones
6 that I have.

7 Q Do you have any children not with
8 your wife?

9 A With my wife.

10 Q Do you have any children not with
11 your wife?

12 A No.

13 Q Do you understand why I ask that
14 question?

15 A No.

16 Q When you provide an answer that
17 puts a qualifier in there, and here the
18 qualifier was, with my wife, it leads me to
19 believe that there are other answers that you
20 are not providing. So if you had answered, no,
21 I only have two children, I would not have asked
22 any further questions.

23 A Okay.

24 Q But because you said, I only have
25 two children with my wife, it begs me to ask

1 N. Quintanilla

2 additional questions.

3 Do you understand that?

4 A Yes.

5 Q Is there anything else you'd like
6 to tell me?

7 A No.

8 Q Are you sure?

9 A Sure.

10 Q What is your wife's name?

11 A Anna Evelyn Flores.

12 Q Are you actually married to
13 Anna Evelyn Flores?

14 A No.

15 Q So she's not your wife?

16 A No.

17 Q Why would you lie about that?

18 A I have no reason to lie.

19 Q I know, but you lied. You called
20 her your wife when she's just the woman you live
21 with.

22 A Well, since the Hispanics --
23 whenever they ask about our wives, we all say
24 it's my wife, even if we're not married.

25 Q Really?

11

1 N. Quintanilla

2 A Really.

3 Q Do you have any other wives?

4 A No.

5 Q Girlfriends?

6 A No.

7 Q Any children that people have
8 claimed to be yours?

9 A No.

10 Q How old are you?

11 A Almost forty.

12 Q When were you born?

13 A January 8, '72.

14 Q Do you have a Social Security
15 number?

16 A Yes.

17 Q How many?

18 A One.

19 Q What is your Social Security
20 number?

21 A [REDACTED].

22 Q [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 N. Quintanilla

2 A About an hour.

3 Q Did you meet with this fellow next
4 to you?

5 A No.

6 Q Where did you first meet the
7 fellow next to you?

8 A Today.

9 Q Nice enough guy; right?

10 A Yes.

11 MR. McNAMARA: Thank you.

12 Q Did you meet with him before this
13 deposition began?

14 A No.

15 Q When you met with your attorneys
16 in the City, who did you meet with?

17 A With my other friends.

18 Q Who?

19 A Mendez, Carlos.

20 Q Pracelis Mendez?

21 A Yes. Pracelis Mendez,
22 Carlos Escalante, Walter Garcia, Alejandro Amaya,
23 and Edwin Rivera.

24 Q You all met together with the
25 lawyers at the same time?

1 N. Quintanilla

2 A Yes.

3 Q You all got your stories straight
4 when you met with the lawyers; right?

5 A No.

6 Q Everybody's story was different?

7 A No, since we all didn't work
8 together; no.

9 Q So you all worked different times
10 and different schedules; right?

11 A No. In one group, we were all
12 together, and in the other one, it was only
13 Mendez. Sometimes they would change them.
14 Sometimes they would send someone else to work
15 with Mendez.

16 Q So the schedules were different?

17 A It was always at the same time.
18 We always got to the yard at the same time.

19 Q Do you drive?

20 A Yes.

21 Q Do you have your own vehicle?

22 A Yes.

23 Q For how long have you had your own
24 vehicle?

25 A Since 2000.

1 N. Quintanilla

2 were let go.

3 The reason you were let go was for
4 lack of work; correct?

5 A Yes.

6 Q So why are you trying to hide that
7 reason now?

8 You're better than that.

9 A No, I'm not hiding anything.

10 Q You kind of are when you're not
11 answering the question.

12 You can take a moment and ask your
13 lawyer, and he'll tell you. He'll tell you. Go
14 ahead.

15 Do you want a moment?

16 A No -- okay.

17 MR. ZABELL: Okay. He wants a
18 moment with you, go ahead.

19 MR. McNAMARA: All right. Thank
20 you.

21 (Whereupon, a recess was taken at
22 this time.)

23 Q You all right?

24 A Yes.

25 Q You had the opportunity to speak

1 N. Quintanilla

2 with your attorney during that break?

3 A Yes.

4 Q Did he answer all your questions
5 satisfactorily?

6 A Yes.

7 Q Are you getting your money's
8 worth?

9 A Yes.

10 Q How much did you pay, by the way?

11 A I don't know.

12 Q Nothing; right?

13 A Nothing.

14 Q So you are getting your money's
15 worth?

16 MR. McNAMARA: Objection.

17 A Yes.

18 Q Before you took a break, you said
19 you applied for unemployment benefits?

20 A Yes.

21 Q And you said that you told
22 unemployment that the reason why you weren't
23 employed was because of lack of work; correct?

24 A Yes.

25 Q And you didn't lie to them?

1 N. Quintanilla

2 A I don't remember.

3 Q Was it a Saturday?

4 A No.

5 Q It can't be a Sunday because you
6 didn't work Sundays; right?

7 A Yes.

8 Q So if your soccer ball is only in
9 your car on Saturday and you take it out on
10 Sunday, is it true that you played soccer during
11 the week?

12 A Yes.

13 Q Explain to me how that happens.

14 A Look, look --

15 Q I'm looking.

16 A -- I always have my ball. I would
17 put it in my car; okay? When -- we never knew
18 when there was going to be time, but when there
19 was time, we...

20 Q But you don't always have your
21 soccer ball in your car; do you?

22 A No.

23 Q So when you say you always have
24 your soccer ball in your car, you're lying;
25 right?

1 N. Quintanilla

2 A I didn't say -- I said that I have
3 a ball, but not always. Not always.

4 Q Before you said always.
5 Were you incorrect in what you
6 were saying?

7 A No.

8 Q So you always have a ball in your
9 car?

10 A Yes.

11 Q Okay. Go to your car and get the
12 ball, please.

13 MR. McNAMARA: Objection.

14 Q Go.

15 MR. McNAMARA: Objection,
16 Counselor.

17 You don't have to go to the car to
18 get the ball.

19 MR. ZABELL: Yes, he does.

20 MR. McNAMARA: He does not have to
21 go get the ball.

22 A I don't have the ball in the car.

23 Q So you don't always have the ball
24 in your car; do you?

25 A No.

1 N. Quintanilla

2 A Well, we gave them all of our work
3 hours and our check stubs.

4 Q Did you provide them with any
5 information; you, specifically you?

6 A No.

7 Q Do you have any idea how many
8 hours you worked in 2001?

9 A In 2001, at that time, we would
10 start at 7:00 a.m., and we would get out at
11 6:00, 7:00, or 8:00 p.m.

12 Q Every day?

13 A Not every day. Some days, we got
14 out at 5:00, 5:00, 6:00.

15 Q Did you ever end any days earlier
16 than that?

17 A At that time -- not at that time.

18 Q What if it rained? Would you ever
19 leave after a half day if it rained; yes or no?

20 A Yes.

21 Q So you just lied to me again;
22 correct?

23 MR. McNAMARA: Objection.

24 Q Yes or no?

25 A But --

1 N. Quintanilla

2 Q Yes or no?

3 A Okay, yes.

4 Q Please stop lying to me.

5 A Okay.

6 Q You promise not to lie to me?

7 A Yes.

8 Q Because if you keep lying to me,
9 it's going to become a real problem.

10 A Okay.

11 Q Do you understand that?

12 A Okay.

13 Q I want you to say, I'm not going
14 to lie to you at this deposition anymore.

15 A Yes.

16 Q Can you say that?

17 A Yes.

18 Q Please do.

19 MR. McNAMARA: Objection.

20 A Please --

21 Q Please say: I'm not going to lie
22 to you anymore.

23 MR. McNAMARA: Objection.

24 A I'm not going to lie to you
25 anymore.

1 N. Quintanilla

2 you brought to us during lunch.

3 Did you have an opportunity to do
4 that?

5 A Yes.

6 Q Are they true and accurate copies?

7 A Yes.

8 Q You had a full and adequate
9 opportunity to review the documents to ensure
10 that they're adequate copies; right?

11 A Yes.

12 Q Okay. Thank you, sir.

13 I'm now handing you back your
14 original documents. (Handing.)

15 Do you have those?

16 A Okay.

17 Q Did I hand them back to you; yes
18 or no?

19 A Yes.

20 Q Did you ever provide these
21 documents to your attorneys?

22 A Yes.

23 Q You did?

24 A Yes.

25 Q Do you know why they didn't turn

1 N. Quintanilla

2 them over to me?

3 A I don't know.

4 Q Was it Patrick's fault?

5 MR. McNAMARA: Objection.

6 A No.

7 Q Was it Ian's fault?

8 MR. McNAMARA: Objection.

9 A I don't know.

10 Q Was it Lauren's fault?

11 MR. McNAMARA: Objection.

12 A I don't know.

13 Q You don't know? Me neither.

14 Do you work for a company called

15 DF Stone Contracting now?

16 A Yes. That's Sunstone, but it's
17 just days. I'm not working full-time.

18 Q You're just working days there,
19 but you're not working nights; correct?

20 A No. I only work -- when they do
21 asphalt, they call me, and when they don't, I
22 don't. They only call me some days.

23 Q Do you work with anybody that you
24 worked with at Suffolk Paving or
25 Suffolk Asphalt?

1 N. Quintanilla

2 Q Did you say, no, but I really want
3 to work?

4 A No.

5 Q It was entirely your choice;
6 correct?

7 A Yes.

8 Q And it was your ego that wouldn't
9 let you say, no, I want to stay here and work?

10 A Yes.

11 Q Is your ego providing for your
12 family now?

13 MR. McNAMARA: Objection.

14 A I don't have to answer that
15 question.

16 Q Yes, you do. Answer the question.

17 A No.

18 Q Are you sorry you made the choice
19 that you made?

20 A No.

21 Q You're happy with the choice that
22 you made?

23 A Yes.

24 Q Did you tell the woman that you
25 call your wife about the choice that you made?

1 N. Quintanilla

2 A Yes.

3 Q Did you tell your wife that you
4 lost your job because of your ego?

5 A I didn't say that it was because
6 of my ego, but I said I had lost my job because
7 they had sent me home.

8 Q But they didn't send you home;
9 right?

10 A Yes.

11 Q You chose to go home?

12 A Yes.

13 Q How did you get home?

14 A In my friend's car.

15 Q Who?

16 A Juan Quinteros.

17 Q Did he quit too?

18 A No.

19 Q He did what he was told and wanted
20 to work; right?

21 A No, because they didn't say
22 anything to him.

23 Q Why do you think they said
24 something to you?

25 A I don't know.

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1 N. Quintanilla

2 (Whereupon, a recess was taken at
3 this time.)

4 Q Are you okay?

5 A Yes.

6 Q You're going to tell the truth;
7 right?

8 A Yes.

9 Q If you don't, your nose is going
10 to grow like Pinocchio.

11 MR. McNAMARA: I just want to say
12 on the record that any questioning
13 regarding Nelson's unemployment and/or
14 the Department of Labor will be subject
15 to the confidentiality agreement.

16 MR. ZABELL: I will object to that
17 designation, and, Counselor, you know
18 what steps you need to take in order to
19 enforce your designation or to test the
20 appropriateness with the Court.

21 MR. McNAMARA: Right.

22 MR. ZABELL: Correct?

23 MR. McNAMARA: Yes.

24 Q Now, why did you lie to the
25 New York State Department of Labor, Division of

1 N. Quintanilla

2 Unemployment, regarding the end of your
3 employment with Suffolk Paving or
4 Suffolk Asphalt?

5 You may want to ask your attorney
6 if you should assert your rights to not
7 incriminate yourself.

8 A Can I speak --

9 MR. McNAMARA: Would you come and
10 translate for us?

11 THE INTERPRETER: Sure.

12 MR. ZABELL: Can I, please?

13 MR. McNAMARA: I'm sorry. Please.

14 THE INTERPRETER: Yes, I will.

15 MR. McNAMARA: Thank you.

16 (Whereupon, a recess was taken at
17 this time.)

18 Q You guys met and spoke outside?

19 A Yes.

20 Q Is there something you want to
21 say?

22 A No.

23 MR. ZABELL: Go ahead. Help him
24 out, Counselor.

25 MR. McNAMARA: We discussed

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1 A. Amir Arevalo

2 Eddie?

3 A No Eddie. Eric, Eric.

4 Q What did Eric look like;

5 handsome, like me?

6 A About his height (indicating).

7 Q Ugly, like him?

8 MR. McNAMARA: Handsome, like

9 me.

10 A No, no, no, no, no.

11 Q Don't call your attorney ugly.

12 That's not nice.

13 A No, no, like his height though.

14 MR. ZABELL: How tall are you,

15 Counselor?

16 MR. McNAMARA: I tell people

17 that I'm 5'10".

18 MR. ZABELL: How tall are you,

19 Counselor?

20 MR. McNAMARA: I'm 5'9".

21 Q So he's about his height?

22 A Yes.

23 Q White?

24 A White. Not like very white, but

25 he's white. I would say he's white.

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1 A. Amir Arevalo

2 Q As white as your attorney?

3 Because that's one white guy.

4 A No.

5 Q As white as me?

6 A No, whiter.

7 Q Whiter than me?

8 A You're whiter.

9 Q Was he Hispanic?

10 A Hispanic.

11 Q So Eddie or Eric is Hispanic?

12 A He's Hispanic.

13 Q And you would speak to him;
14 right?

15 A Yes.

16 Q And you would work Saturdays and
17 Sundays with him; right?

18 A Yes.

19 Q All the time?

20 A Sometimes, sometimes.

21 Q How many times a month?

22 A Might be once or twice.

23 Q Once or two times a month?

24 A No. That would be maybe a
25 month, but it was rare. Saturdays and

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1 A. Amir Arevalo

2 remember the project that it was.

3 Q What year?

4 A It was every year.

5 Q So you remember doing it every
6 year, but you can't remember any of the names
7 of the jobs you worked on?

8 MR. McNAMARA: Objection.

9 A No, I don't remember the
10 projects. I do remember the projects, for
11 example, schools, main streets. That's it.

12 Q What school?

13 A The name, I don't remember.

14 Q When I think you're lying, your
15 cheek flexes.

16 A Wow.

17 MR. ZABELL: Let the record
18 reflect that the witness laughed and
19 said "wow."

20 Q You know that?

21 A No, my body doesn't tremble.

22 Q Do you play poker?

23 A No.

24 Q Why; because of that?

25 MR. McNAMARA: Objection.

1 J. Quinteros

2 A I don't understand that. 01:12:05

3 Q Good. Then just answer the 01:12:07
4 question. 01:12:11

5 MR. ZABELL: Patrick, tell him 01:12:24
6 to answer the question. 01:12:27

7 MR. McNAMARA: Mr. Quinteros, 01:12:28
8 please answer the question that 01:12:29
9 Counselor asked you. 01:12:31

10 A In the office where they give 01:12:34
11 you the Social Security numbers. 01:12:36

12 Q [REDACTED] 01:12:41

13 [REDACTED] 01:12:45

14 [REDACTED] 01:12:48

15 MR. McNAMARA: Objection. 01:12:49

16 A I don't understand. 01:12:51

17 Q [REDACTED] 01:12:54

18 [REDACTED] 01:12:55

19 [REDACTED] 01:13:01

20 A No, I never used -- I've never 01:13:10
21 used a false Social Security number. I've 01:13:16
22 always had my own. 01:13:19

23 Q Where did you get your Social 01:13:20
24 Security number? 01:13:25

25 MR. McNAMARA: Objection. 01:13:28

1 J. Quinteros

2 A At the office where they give 01:13:25
3 you a Social Security number. I don't 01:13:30
4 remember where it was. 01:13:33

5 Q Then why were you refusing to 01:13:34
6 answer my question before? 01:13:39

7 A Because there are immigration 01:13:41
8 issues, and we're not going to speak about 01:13:41
9 that here. 01:13:45

10 Q But if you have no 01:13:45
11 immigration -- you don't get to tell me what 01:13:47
12 you're going to talk about. 01:13:50

13 MR. McNAMARA: Objection, 01:13:52
14 Counselor. 01:13:53

15 Q Do you understand that? 01:13:53

16 MR. McNAMARA: Counselor, please 01:13:54
17 lower your voice. 01:13:56

18 Q Do you understand that? 01:13:57

19 A (No verbal response.) 01:13:59

20 Q Yoo-hoo, you with us? 01:14:00

21 MR. McNAMARA: Objection. 01:14:04

22 A (No verbal response.)

23 Q (Whistling.)

24 MR. McNAMARA: Counselor, please
25 stop whistling at the witness.

45

1 J. Quinteros

2 MR. ZABELL: I'm just trying to
3 get him to answer the question in under
4 two minutes. 01:14:11

5 A You're playing with me. You're 01:14:11
6 not respecting me. 01:14:14

7 Q I won't respect you if you don't 01:14:16
8 start answering these questions -- 01:14:17

9 MR. McNAMARA: Objection. 01:14:17

10 Q -- because you're not respecting 01:14:18
11 the process. 01:14:21

12 MR. McNAMARA: Objection. 01:14:23

13 Q When you sue this nice man 01:14:24
14 (indicating), you put yourself here. When 01:14:27
15 you sue the man that gives you a living and 01:14:32
16 provides food for you and your family, you 01:14:36
17 give me the right to ask you all sorts of 01:14:41
18 questions. 01:14:45

19 MR. McNAMARA: Objection. 01:14:46

20 Q Do you understand that? 01:14:47

21 A You can ask anything, but not 01:14:48
22 immigration. 01:14:54

23 Q No, no. I can ask anything at 01:14:55
24 all. 01:14:58

25 Do you understand? 01:15:04

1 J. Quinteros

2 A I'm not going to answer any 01:15:04
3 immigration things. 01:15:07

4 Q You don't have a choice. 01:15:07

5 MR. McNAMARA: Objection. 01:15:09

6 Counselor, please lower your voice. 01:15:11

7 Q If you're going to take the 01:15:11
8 position that you're not going to answer 01:15:11
9 anything, then I'm going to tell you to walk 01:15:12
10 right out of here right now, and then I'll 01:15:14
11 call the Court, and then we'll see what 01:15:16
12 happens. 01:15:18

13 Do you understand that? 01:15:20

14 A (No verbal response.) 01:15:27

15 Q Do you understand that, wiseguy? 01:15:29

16 MR. McNAMARA: Objection. 01:15:31

17 A (No verbal response.) 01:15:33

18 Q Yes or no? 01:15:37

19 A (No verbal response.) 01:15:37

20 MR. ZABELL: Let the record 01:15:40

21 reflect that fifteen seconds have gone 01:15:51

22 by since I asked the question. 01:15:52

23 MR. McNAMARA: Objection. 01:15:52

24 MR. ZABELL: What's the basis of 01:15:53

25 your objection? Was it not fifteen 01:15:56

1 L. N. Rodriguez

2 was a little, it was a little, and just in
3 January and in February, very little, very
4 little.

5 Q Do you know a fellow by the name
6 of Maynor Fajardo?

7 A Yes, he was our foremen.

8 Q Is Maynor Fajardo an honest man?

9 A He's a coworker, and he likes to
10 joke around. That's everything. That's all I
11 can say.

12 Q So he's not always truthful and
13 honest; correct?

14 A If he has to tell you truth, he
15 tells you the truth.

16 Q And if he doesn't have to tell you
17 the truth, he'll lie to you?

18 A No, it's odd for him. It's not
19 normal for him to tell lies.

20 Q But sometimes he does?

21 A Like all humans.

22 Q You know, not all humans lie.

23 MR. McNAMARA: Objection.

24 A Okay. I don't know of anyone.

25 Q All the people you know lie?

1 L. N. Rodriguez

2 MR. McNAMARA: Objection.

3 A Not everyone lies at the same
4 level.

5 Q Do your daughters lie to you?

6 A I guess they did, but I don't
7 realize it.

8 Q Does your wife lie to you?

9 A I guess so, but I don't realize
10 it.

11 Q Do you lie to her?

12 A I said that I did. I said that I
13 lied to her.

14 Q Did you ever lie to
15 Maynor Fajardo?

16 A Just joking around. Just joking,
17 though, but not about work.

18 Q Did Maynor Fajardo ever lie to
19 you?

20 MR. McNAMARA: Objection.

21 A No. I don't remember that he ever
22 lied to me.

23 Q Did you ever borrow money from
24 Suffolk Asphalt?

25 A No, I never received a favor like

1 J. Vega Castillo

2 Mr. Vega or Mr. Castillo.

3 A Mr. Castillo.

4 Q Mr. Castillo, I don't want you to
5 lie to me, and I can sense from the look in your
6 eyes that you don't want to lie to me, okay?

7 It's very important that you
8 listen to all of the questions before giving an
9 answer, because right now, I have found an
10 inconsistency in your testimony that if I
11 thought you were being a wiseguy, I would have
12 to accuse you of lying to me, okay?

13 MR. MCNAMARA: Objection.

14 Q I don't think you're being a
15 wiseguy. I just think you're trying to think of
16 a story as I ask these questions. It's very
17 important that you only tell me the truth.

18 Can you do that?

19 A I can do that, but the thing is
20 that I don't have exact dates.

21 Q You already testified to me that
22 you have a good memory, right?

23 A Okay.

24 Q I want you to use that good memory
25 and tell me if you remember testifying today

1 J. Vega Castillo

2 that the last time that you spoke to Tommy was
3 in November 2009?

4 A (No verbal response.)

5 Q Do you remember that? I see you
6 shaking your head yes.

7 A Yes.

8 Q You're not lying to me today,
9 right?

10 A No, I'm going to try not to.

11 Q You haven't lied to me yet?

12 A And I don't need to lie.

13 Q You haven't lied to me at all
14 today, right?

15 A No.

16 Q The last time you spoke to Tommy
17 was in November 2009, correct?

18 A Yes.

19 Q And you changed your telephone
20 number in April 2010?

21 A Yes, around there, around those
22 months.

23 Q It could have been May, right?

24 A Probably.

25 Q May or April. When you changed

1 C. Escalante Vargas

2 A Yes. I called unemployment and I
3 collected unemployment.

4 Q Right.

5 A I received until February.

6 Q When you weren't able to work,
7 right?

8 A Exactly.

9 Q Did you tell Lauren Goldberg and
10 Ian Wallace that you were doing that?

11 MR. McNAMARA: Objection.

12 A No.

13 Q Yes?

14 A No.

15 Q Do they know that you did that?

16 A No.

17 Q Did they know that you committed
18 fraud?

19 A No.

20 Q You never told them that you
21 committed fraud?

22 MR. McNAMARA: Objection.

23 A No.

24 Q Do you know the type of fraud that
25 you committed is punishable by prison?

1 C. Escalante Vargas

2 MR. McNAMARA: Objection.

3 Q Did you know that?

4 A No, I don't know it.

5 Q You understand that there are
6 ramifications for everything that you've said
7 here today?

8 MR. McNAMARA: Objection.

9 A Yes.

10 Q Whether those ramifications be
11 with your wife in Honduras or the District
12 Attorney's Office here in New York; you are
13 aware of that, are you not?

14 A I don't understand the question.
15 Can you repeat it?

16 Q Sure. You admitted to committing
17 fraud. I am obligated to report that fraud.

18 MR. McNAMARA: Objection.

19 Q Your lawyer is obligated to report
20 that fraud, and there are ramifications for that
21 fraud.

22 MR. McNAMARA: Objection.

23 Q Meaning, there are penalties that
24 you are going to have to pay and a punishment
25 that you may receive.

1 C. Escalante Vargas

2 Have you been made aware of that?

3 MR. McNAMARA: Objection.

4 A No.

5 Q And if your wife was to find out
6 about all your lies and your fraud, there will
7 be penalties to pay there, as well, correct?

8 MR. McNAMARA: Objection.

9 A Penalties of what?

10 Q What will your wife do if she
11 finds out that you cheated on her?

12 MR. McNAMARA: Objection.

13 A I don't know what she would do.
14 If she tells me that I have to divorce, well,
15 that is what I have to do, because she would be
16 right.

17 Q Is that what you want?

18 A Not because of my daughters.

19 Q But if you divorce her, you can go
20 sleep with whoever you want.

21 A That's what I don't want now.

22 Q Do you feel the least little bit
23 guilty for what you have done?

24 MR. McNAMARA: Objection.

25 Q For the lying, the stealing, the

1 C. Escalante Vargas

2 cheating; no?

3 A No. I think that you are always
4 guilty when you, all of a sudden, you have had a
5 lot of -- really too many consequences.

6 Q So you don't feel guilty, right?

7 MR. McNAMARA: Objection.

8 A A little bit, yes.

9 Q Just a little bit, though?

10 A Yes.

11 Q Do you really want to continue
12 with this lawsuit?

13 MR. McNAMARA: Objection.

14 A Yes.

15 Q Just because you might get money,
16 right?

17 MR. McNAMARA: Objection.

18 A And if I don't get any money, it's
19 the same thing to me.

20 Q You took a shot, right?

21 MR. McNAMARA: Objection.

22 A That's how it is.

23 Q Just like lying to a woman, right?

24 MR. McNAMARA: Objection.

25 Q You took a shot, maybe you'll get

1 M. Tulio Perez

2 to ask him about his immigration status.

3 MR. MCNAMARA: What's the point to
4 what you're asking?

5 MR. ZABELL: [REDACTED] [REDACTED]

6 [REDACTED] [REDACTED] [REDACTED]

7 [REDACTED]

8 MR. MCNAMARA: He told you when he
9 came here.

10 MR. ZABELL: Yes, in 2001. I
11 don't know when he came here in 2001.

12 MR. MCNAMARA: So ask when he came
13 to New York.

14 Q When did you come to New York?

15 A In 2001.

16 Q [REDACTED]

17 MR. MCNAMARA: Objection.

18 Do not answer the question.

19 Q [REDACTED]

20 MR. MCNAMARA: Objection.

21 Do not answer the question.

22 A He's saying that I can't answer.

23 Q Sure, you can answer.

24 MR. MCNAMARA: No, I am not
25 allowing it.

1 M. Tulio Perez

2 Q [REDACTED]

3 MR. MCNAMARA: Do not answer the
4 question.

5 Q [REDACTED]

6 It's not exactly known as the land of the free.

7 A (No verbal response.)

8 Q Come on, answer the question.

9 A (No verbal response.)

10 Q Are you going to answer, or are
11 you going to just look silly?

12 A He said that I can't answer the
13 question.

14 Q Don't be a moron.

15 MR. MCNAMARA: Counsel, stop
16 calling my client insulting names.

17 Q I'm going to continue to ask these
18 questions.

19 MR. MCNAMARA: I instructed him
20 not to answer earlier questions.

21 MR. ZABELL: Stop it.

22 Q Answer the question.

23 A (No verbal response.)

24 Q Are you going to answer, or are
25 you going to sit there and look foolish?

1 M. Tulio Perez

2 MR. MCNAMARA: Counsel, ask the
3 question again.

4 MR. ZABELL: No.

5 Q Nothing? You're just going to
6 look stupid.

7 MR. MCNAMARA: Objection. Stop
8 calling him names.

9 MR. ZABELL: He's sitting there
10 with a grin on his face, not answering
11 any questions.

12 Q Do you know what color shirt
13 you're wearing?

14 MR. MCNAMARA: Objection.

15 Mr. Perez, please answer the
16 question.

17 Q Do you know what day of the week
18 it is?

19 A It's the 17th, Monday.

20 Q Do you know what color shirt
21 you're wearing?

22 MR. MCNAMARA: Objection.

23 A Red.

24 Q Do you know what color your
25 attorney is?

1 M. Tulio Perez

2 MR. MCNAMARA: Objection.

3 A White.

4 Q Do you know what my name is?

5 A No.

6 Q How many fingers am I holding up?

7 MR. MCNAMARA: Let the record show

8 Mr. Zabell is holding up two fingers.

9 Q Mr. Perez and only Mr. Perez.

10 A Two.

11 MR. ZABELL: Let the record

12 reflect that Mr. Perez is accurate.

13 Q See? You can answer questions,
14 right?

15 A Not the ones that he tells me not
16 to answer.

17 Q Stop saying that. You're not a
18 lawyer. In this room, your role is simply to
19 respond to my questions. If you can't do that,
20 we will throw you out and bring you back when
21 you can.

22 Do you understand?

23 MR. MCNAMARA: Objection.

24 Q Do you understand?

25 A I understand.

1 M. Tulio Perez

2 whether or not to agree. I'm trying to
3 help you, but you're refusing to accept
4 my assistance.

5 MR. MCNAMARA: You helping me is
6 you walking all over me. That's what you
7 think anyway.

8 MR. ZABELL: You want to fight
9 back, go ahead, I'll keep quiet while you
10 fight back.

11 MR. MCNAMARA: I'm not trying to
12 fight back. I think my objection was
13 appropriate. And I think I was
14 appropriate --

15 MR. ZABELL: Do you want me to go
16 over the order with you? You were
17 reading it just before.

18 Pull it out, I'll show you. That
19 is the only restrictions, "For these
20 reasons, defendant will not be permitted
21 to inquire into the immigrations status
22 of plaintiffs who only seek recovery of
23 back pay."

24 MR. MCNAMARA: I'm aware.

25 MR. ZABELL: I'm allowed to ask

1 M. Tulio Perez

3

4

5 MR. MCNAMARA: I believe --

10 [REDACTED] [REDACTED] [REDACTED]

11

12 [REDACTED] We

13 know that, I know that, I'm not asking

14 him about that. [REDACTED]

15 [REDACTED]

16

17 [REDACTED] [REDACTED] [REDACTED]

18

19 [REDACTED]

20

21

22

23 [REDACTED]

24

25

1 M. Tulio Perez

2 ultimately at trial, in order to obtain
3 funds that they did not work for. That
4 is the basic premise of this lawsuit.

5 So I am asking him impeaching
6 questions just so I can impeach him and
7 credibility issues are always admissible.

8 MR. MCNAMARA: I agree with that.

9 MR. ZABELL: So either you can
10 capitulate, allow these questions to be
11 asked, or I have to proceed down this
12 very deadly line with you with Judge
13 Tomlinson, or any other Magistrate.

14 If you want, I'll give you an
15 opportunity to think about it. You don't
16 have to answer me on the fly, because I
17 don't want you, again, accusing me of
18 hijacking you or bullying you. Am I
19 clear?

20 MR. MCNAMARA: You have been very
21 clear.

22 (Whereupon, a recess was taken
23 from 12:26 p.m. to 1:12 p.m.)

24 Q Are you ready now?

25 A I'm ready.

1 M. Tulio Perez

2 Q You're going to answer my
3 questions, right?

4 A It depends on the questions.

5 Q You know you don't have the right
6 to make that determination. I'm going to ask
7 those questions, and if your attorney doesn't
8 put his hand on your shoulder and say, "don't
9 answer that question," you have an obligation to
10 answer that question.

11 Do you understand that?

12 A That's fine.

13 MR. ZABELL: Patrick, you're okay
14 with that little hand gesture?

15 MR. MCNAMARA: I'll be clear of
16 when the witness doesn't have to answer
17 the question.

18 MR. ZABELL: Okay, very good.

19 Q [REDACTED]

[REDACTED]

[REDACTED]

22 MR. MCNAMARA: Objection.

23 Q Yes or no?

24 A I think so.

25 Q Do you remember what that number

1 M. Tulio Perez

2 was?

3 A No.

4 Q Do you remember it to be

5 [REDACTED]?

6 A [REDACTED]

7 [REDACTED]
8 Q Have you ever used any other
9 Social Security numbers?

10 A No.

11 Q Do you use that number to file
12 your income tax returns?

13 A Yes.

14 Q Did you ever use any other Social
15 Security number at Suffolk Paving?

16 A Only that one.

17 Q [REDACTED]
18 [REDACTED]

19 MR. MCNAMARA: Objection.

20 Q You can answer. Are you going to
21 answer?

22 MR. MCNAMARA: Mr. Perez, you can
23 answer this question.

24 A [REDACTED]

25 Q [REDACTED]

1 M. Tulio Perez

2 [REDACTED]?

3 A [REDACTED]

4 Q How much did you make when you
5 worked at Fasco per hour?

6 A Approximately, about \$10.

7 Q \$10 an hour?

8 A Yes.

9 Q You worked there in all of 2003
10 and all of 2004?

11 A Half of -- I started in 2002.

12 Q Please tell me what years you
13 worked at Fasco.

14 A 2002, 2003 and in the middle, I
15 went to Suffolk Paving.

16 Q The middle of 2003?

17 A 2004, about June or less.

18 Q What did you do at Suffolk Paving
19 in 2004?

20 A I raked and I did the screw on the
21 machine.

22 Q How much did you get paid an hour
23 in 2004 at Suffolk Paving?

24 A \$21.90.

25 Q That's a big difference from \$10

1 K. Galeano

2 sixty hours.

3 There were days you didn't work.

4 There were times that you took off to go

5 somewhere.

6 MR. MCNAMARA: Objection.

7 Q There were days it rained. So

8 don't lie to me and say that you always worked

9 sixty hours. You admitted before that was a

10 lie.

11 MR. MCNAMARA: Objection.

12 Q Stop your lying. You have some

13 nerve continuing to lie.

14 MR. MCNAMARA: Objection.

15 A No, no, no.

16 Q Yes, yes, yes, stop lying.

17 Do you understand?

18 A Yes, I understand.

19 Q Is it possible for you to stop

20 lying? Is it possible; yes or no?

21 MR. MCNAMARA: Objection.

22 A I'm not lying.

23 Q You already admitted to lying,

24 right?

25 MR. MCNAMARA: Objection.

1 K. Galeano

2 Q Right. Not pero, no but.

3 You already admitted to lying.

4 MR. MCNAMARA: Objection.

5 Q Yes or no?

6 A I haven't lied.

7 Q Now you're saying you haven't

8 lied. Didn't you tell me before that you lied?

9 MR. MCNAMARA: Objection.

10 Q Yes or no?

11 A Yes.

12 Q Yes. If you're saying you lied,

13 don't say that you're not lying.

14 MR. MCNAMARA: Objection.

15 Q You already admitted to being a

16 liar.

17 MR. MCNAMARA: Objection.

18 Q Do you understand that?

19 MR. MCNAMARA: Objection.

20 A I'm not lying to you.

21 Q You've already admitted to lying

22 today.

23 MR. MCNAMARA: Objection.

24 Q Am I right; yes or no?

25 MR. MCNAMARA: Objection.

1 A. Amaya

2 correct?

3 A Yes.

4 Q All the time; correct?

5 A Not overtime.

6 Q All the time?

7 A Yes.

8 Q Do you know that your lawyer
9 claimed in your complaint that you didn't get
10 paid prevailing-wage rates? Did you know that?

11 A Let me --

12 Q Yes or no?

13 A Let me explain.

14 Q No, don't explain. Just answer.

15 A Yes.

16 Q But you just testified you got
17 paid prevailing-wage rates; didn't you?

18 A Yes.

19 Q So your lawyers are lying now;
20 right?

21 MR. McNAMARA: Objection.

22 A I don't know. I don't know.

23 Q They're lying to try and steal
24 money for you; correct?

25 MR. McNAMARA: Objection.

1 A. Amaya

2 Q Correct?

3 MR. McNAMARA: Objection.

4 A I am not lying. I wouldn't be
5 here if --

6 Q But you hired somebody to lie for
7 you; correct?

8 MR. McNAMARA: Objection.

9 Q Correct?

10 A I didn't hire anyone to lie.

11 Q That's what your lawyers are doing
12 when they say you never received prevailing-wage
13 rates.

14 MR. McNAMARA: Objection.

15 Q They're lying for you.

16 A They're not.

17 Q So you'll lie for your benefit,
18 and you'll hire someone else to lie for your
19 benefit; right?

20 MR. McNAMARA: Objection.

21 Q Right?

22 A (No verbal response.)

23 Q Right?

24 A No.

25 Q Did you lie to me here today?

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1 A. Amaya

2 A No.

3 Q Do you remember earlier today
4 saying that you did lie to me?

5 A (No verbal response.)

6 Q Yes?

7 A Yes.

8 Q So you did lie to me; right?

9 A Yes.

10 Q Then, stop denying it. If you're
11 admitting that you lied to me, don't deny that
12 you lied to me.

13 MR. McNAMARA: Objection.

14 Q Do you understand?

15 A (No verbal response.)

16 Q Do you understand what I am saying
17 to you?

18 MR. McNAMARA: Objection.

19 A (No verbal response.)

20 Q Yes or no?

21 A (No verbal response.)

22 Q Yes or no?

23 MR. McNAMARA: Objection.

24 A No.

25 Q You don't understand what I'm

1 M. Fajardo

2 Washington?

3 A On June 23rd.

4 Q Of what year?

5 A 2008.

6 Q So she made it back to the United
7 States before you?

8 A Yes.

9 Q Did you pay for her travel to the
10 United States?

11 A All of my siblings and me.

12 Q Is that a yes?

13 A Yes.

14 Q Do you visit her here in the
15 United States?

16 A Yes.

17 Q When in 2009 did you visit her in
18 the State of Washington?

19 A September of 2009, when I got
20 fired.

21 Q For how long did you visit her in
22 September 2009?

23 A Three days.

24 MR. WALLACE: He is only asking
25 about the dates for the lawsuit.

1 M. Fajardo

2 Q Is she okay now?

3 A Yes.

4 Q That's good.

5 Did you drive out to Seattle,
6 Washington to see her, or did you fly there?

7 A No, my brother came to get me.

8 Q In a car?

9 A In a car, yes.

10 Q So you drove out to see her?

11 A My brother drove with his wife.

12 Q And you sat in the backseat?

13 A No, in the front.

14 Q Who sat in the backseat?

15 A My brother's wife.

16 Q Was she okay with that?

17 A Yes, because she was sleeping.

18 Q The whole time?

19 A Almost always.

20 Q It took three days to get there?

21 A Three-and-a-half days.

22 Q How many days to drive back?

23 A It was not three days exactly. It
24 was almost three days, because it was just me
25 and my brother.

1 M. Fajardo

2 Q You drove?

3 A No.

4 Q Your brother drove?

5 A Yes.

6 Q The whole time?

7 A He has a stick shift and I can't
8 drive a stick.

9 Q You must be a lot of fun to drive
10 with.

11 So your brother drove for three
12 days straight?

13 A Yes, but he stopped.

14 Q It took three days to drive there,
15 you stayed three days, and then three days to
16 drive back?

17 A Yes. Because my mother was going
18 to go to my other brother's.

19 Q Where does he live?

20 A In Houston.

21 Q Did you visit your other brother
22 in Houston?

23 A No.

24 Q You don't like him?

25 A No, we don't have communication.

1 M. Fajardo

2 Q Why, because you don't like him?

3 A No. Because he is the eldest, and
4 he's the one that would keep us indoors to keep
5 us straight.

6 Q Did you ever lie to him?

7 A No.

8 Q Un poquito?

9 A No.

10 Q So when in September 2009 did you
11 drive to see your mother, what day?

12 MR. WALLACE: Objection, asked and
13 answered.

14 A It's -- that was at the end of
15 September.

16 Q How soon after you stopped working
17 for Suffolk Paving did you go see your brother?

18 A I was not working for Suffolk
19 Paving.

20 Q Who were you working for?

21 A No one.

22 MR. WALLACE: Listen to the
23 question.

24 Can you repeat the question?

25 MR. ZABELL: I have his answer.

1

2 S T E V E N R I N A L D I, the Spanish

3 Interpreter herein, was duly sworn to

4 interpret the questions from English into

5 Spanish and the answers from Spanish into

6 English to the best of his ability:

7 K E V I N G A L E A N O, the Witness herein,

8 having been duly sworn through the

9 Interpreter, was examined and testified

10 as follows:

11 EXAMINATION BY

12 MR. ZABELL:

13 Q State your name for the record,
14 please.

15 A Kevin Galeano.

16 Q State your address for the record,
17 please.

18 A [REDACTED]

19 [REDACTED]

20 Q Who are you?

21 A Kevin Galeano.

22 Q How do I know that?

23 A Pardon me?

24 Q How do I know that is who you

25 really are?

1 K. Galeano

2 A That is my name.

3 Q Do you have a driver's license?

4 A No.

5 Q Any identification?

6 A Yes.

7 Q May I see it?

8 A Yes. (Handing.)

9 Q That's it?

10 A Yes.

11 Q Nothing else?

12 A No.

13 Q Why is this so hot?

14 A I had it in my pocket.

15 Q You're a skinny guy, you can't

16 generate that much heat.

17 A I was sitting on it.

18 Q Let's me make a copy, okay?

19 A Okay.

20 (Mr. Galeano's passport was marked

21 as Defendants' Exhibit 1 for

22 identification, as of this date.)

23 Q Mr. Galeano, if that's your real

24 name --

25 MR. MCNAMARA: Objection.

1 K. Galeano

2 MR. MCNAMARA: Objection.

3 Q Do you understand that?

4 MR. MCNAMARA: Objection.

5 A Yes, I understand.

6 Q If you answer something that is
7 not a question that I ask, I'm going to ask you
8 to leave.

9 Do you understand that?

10 A Yes, I understand.

11 Q If that happens, I'm going to ask
12 the Judge to sanction or penalize you.

13 Do you understand that?

14 MR. MCNAMARA: Objection.

15 A Yes, I understand.

16 Q Can you just answer the questions
17 that I ask you; yes or no?

18 A Yes, I can answer.

19 Q Are you going to stop lying to me?

20 MR. MCNAMARA: Objection.

21 A No, I'm not lying.

22 Q Are you going to stop lying to me;
23 yes or no?

24 MR. MCNAMARA: Objection.

25 A I'm not lying.

1 K. Galeano

2 Q You already acknowledged that you
3 lied.

4 A If I was lying, I wouldn't lie.

5 Q You've already acknowledged that
6 you lied to me.

7 A No, because --

8 Q Yes or no?

9 A No, I have not lied to you.

10 Q Now you're lying again.

11 MR. MCNAMARA: Objection.

12 Q It's not good, it looks poorly.

13 A Yes, I am in agreement, in the
14 beginning when you asked me about my
15 documentation.

16 Q So stop lying, okay? Can you
17 agree to stop lying?

18 MR. MCNAMARA: Objection.

19 Q Can you agree to stop lying?

20 A Yes, I can agree, but I am not
21 lying. I'm telling the truth.

22 Q Now you're not lying, but before
23 you lied to me, correct?

24 A No, I have not lied.

25 Q You just admitted that you lied to

1 K. Galeano

2 me.

3 MR. MCNAMARA: Objection.

4 Q Ask your lawyer, he'll tell you.

5 Okay? No lies.

6 A No lies.

7 Q Do you want to apologize to me for
8 lying before?

9 MR. MCNAMARA: Objection.

10 A If I did, I apologize.

11 Q I accept your apology. Just don't
12 do it again, okay?

13 A Okay.

14 Q With whom do you live at 28 Frank
15 Street?

16 A My sister, my brother-in-law and
17 their children.

18 Q You said you have two children,
19 right?

20 A No, I didn't say I have two
21 children.

22 Q How many children do you have?

23 A I have a daughter.

24 Q [REDACTED]

25 [REDACTED]

1 K. Galeano

2 MR. MCNAMARA: Objection.

3 A No, I didn't say that I had two
4 children.

5 Q How many children do you have?

6 A One child.

7 Q How old is your child?

8 A Two years.

9 Q Where does she live?

10 A She also lives in Brentwood.

11 Q Does she live with you?

12 A No.

13 Q Who does she live with?

14 A With her mother.

15 Q Who is her mother?

16 A Lourdes Suarez.

17 Q Are you married to Lourdes Suarez?

18 A No.

19 Q Were you ever married to Lourdes
20 Suarez?

21 A No, never.

22 Q Is she married to someone else?

23 A Now, presently, she is.

24 Q When you were dating her, was she
25 married?

1 K. Galeano

2 A What do you mean? I don't
3 understand.

4 Q At the time two years ago when you
5 created your daughter, was Lourdes Suarez
6 married to someone else?

7 MR. MCNAMARA: Objection.

8 A No, no, she was not married.

9 Q What is your daughter's name?

10 A Caitlin Galeano.

11 Q Do you provide for Caitlin?

12 A Can you repeat the question?

13 Q Do you provide for Caitlin
14 Galeano?

15 A Yes.

16 Q How much do you provide?

17 A Could you explain that so it's a
18 little clearer?

19 Q Do you give money every month to
20 support Caitlin?

21 A Yes.

22 Q How much?

23 A \$100.

24 Q That's it?

25 A A week.

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1 K. Galeano

2 Q That's it?

3 MR. MCNAMARA: Objection.

4 A A week. I also take care of her,
5 I buy her food and clothing.

6 Q Is there a court order ordering
7 you to provide for Caitlin Galeano?

8 MR. MCNAMARA: Objection.

9 A No, no, no court order.

10 Q How much do you pay a month in
11 rent?

12 A I pay \$350.

13 Q A week?

14 A A month.

15 Q Do you have any other children?

16 A No.

17 Q In this country or in any other?

18 A I just have one here in this
19 country.

20 Q Did you ever lie to Lourdes
21 Suarez?

22 A If at any time have I what?

23 Q Lied.

24 MR. MCNAMARA: Objection.

25 A About what?

1 K. Galeano

2 Q About anything.

3 A About my daughter, no.

4 Q About anything. Did you ever lie
5 to get your way?

6 MR. MCNAMARA: Objection.

7 A No.

8 Q You never lied to stay out of
9 trouble, even a little lie?

10 A I don't think so. I don't think I
11 ever had to.

12 Q Come on, tell the truth. You
13 never made a little white lie just to stay out
14 of trouble?

15 A I've never had any trouble, never
16 had any trouble with her.

17 Q You never lied and told her she
18 looked good when she didn't?

19 A If I said she looked pretty, it's
20 because she looked pretty.

21 Q Did you ever lie to your mother?

22 A Maybe when I was a kid.

23 Q Why did you lie, to stay out of
24 trouble?

25 A Yes, so I wouldn't get

1 K. Galeano

2 A Maybe if I was making \$50 an hour
3 all the time, but it was not all the time that I
4 was making \$50.

5 Q \$50 an hour is more than some
6 lawyers make, did you know that? Did you know
7 that?

8 A I didn't know that.

9 MR. MCNAMARA: Objection.

10 Q Did you ever file for unemployment
11 benefits?

12 A No, never.

13 Q Did you ever receive food stamps?

14 MR. MCNAMARA: Objection.

15 A No, never.

16 Q Did you ever, on behalf of
17 yourself or anybody else, receive any public
18 benefits like welfare?

19 A I don't understand that last thing
20 you said.

21 Q Did you ever receive any welfare
22 benefits?

23 MR. MCNAMARA: Objection.

24 A I don't know what that is.

25 Q Any benefits from the State or the

1 K. Galeano

2 Federal Government?

3 A No, never.

4 Q What about for your children?

5 MR. MCNAMARA: Objection.

6 A For my children, I don't know,
7 their mother, maybe.

8 Q What about health insurance
9 benefits?

10 A For me?

11 Q No, for your children.

12 A Yes, for my daughter, yes.

13 Q What about your son?

14 A No, I just have a daughter.

15 Q You testified before that you had
16 a son.

17 A No, I never said I had two
18 children.

19 Q Are you lying?

20 MR. MCNAMARA: Objection.

21 Q Are you denying that you have a
22 son?

23 A No, I have a daughter.

24 Q What is the boy's name?

25 MR. MCNAMARA: Objection.